

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS**

UNITED STATES OF AMERICA,

Plaintiff,

:

Case No. 2:19-cr-107

Civil Case No. 2:23-cv-02155

- vs -

District Judge Sarah D. Morrison

Magistrate Judge Michael R. Merz

CHRISTOPHER MICHAEL SAMMONS,

Defendant.

:

REPORT AND RECOMMENDATIONS

This is an action on a Motion to Vacate under 28 U.S.C. § 2255. On May 9, 2024, the Magistrate Judge found Defendant's pleading did not comply with Rule 2 of the Rules Governing § 2255 Proceedings and ordered that "not later than June 10, 2024, Defendant shall file an amended motion to vacate in the form required by Rule 2." (Order, ECF No. 177).

Defendant has failed to comply with that Order. It is accordingly respectfully recommended that the Amended Motion to Vacate be dismissed without prejudice for failure to prosecute.

June 28, 2024.

NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Because this document is being served by mail, three days are added under

Fed.R.Civ.P. 6, but service is complete when the document is mailed, not when it is received. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. A party may respond to another party's objections within fourteen days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. #

s/ Michael R. Merz
United States Magistrate Judge